

AMENDMENTS TO THE CLAIMS

1. (previously amended) A method of transmitting data comprising the steps of:  
channel coding an encoder packet to produce a channel coded encoder packet; and  
puncturing and/or repeating the channel coded encoder packet to produce a first  
encoder sub-packet having a first size based on a size of the encoder packet and a first data  
transmission rate at which the first encoder sub-packet is to be transmitted, wherein the first  
data transmission rate is different from and based on a data rate for transmitting the first  
encoder sub-packet indicated in a first rate indication message from a receiver.
2. (original) The method of claim 1, wherein the first data transmission rate is based on first  
channel conditions measured at a receiver to which the first encoder sub-packet is intended.
3. (original) The method of claim 1, wherein the first encoder sub-packet has a format which  
allows the first encoder sub-packet to be soft combined with a second encoder sub-packet  
derived from the same encoder packet as the first encoder sub-packet.
4. (original) The method of claim 3, wherein the first encoder sub-packet is of a different size  
than the second encoder sub-packet.
5. (original) The method of claim 3, wherein the first encoder sub-packet is of an identical size  
than the second encoder sub-packet.
6. (original) The method of claim 1 comprising the additional step of:  
adding a first encoder packet size identifier to the first encoder sub-packet  
indicating the size of the encoder packet from which the first encoder sub-packet was  
derived.
7. (original) The method of claim 6 comprising the additional step of:  
transmitting the first encoder sub-packet with the first encoder packet size identifier  
at the first data transmission rate.

8. (original) The method of claim 7, wherein the first encoder sub-packet with the first encoder packet size identifier is modulated using a modulation scheme based on the first data transmission rate.
9. (original) The method of claim 7 comprising the additional step of:  
prior to the step of transmitting the first encoder sub-packet, transmitting a rate indication message to a receiver to which the first encoder sub-packet is intended indicating the first data transmission rate.
10. (original) The method of claim 1 comprising the additional step of:  
adding an encoder sub-packet format identifier to the first encoder sub-packet indicating a first format of the first encoder sub-packet.
11. (original) The method of claim 10 comprising the additional step of:  
transmitting the first encoder sub-packet with the first encoder sub-packet format identifier at the first data transmission rate.
12. (original) The method of claim 11, wherein the first encoder sub-packet with the first encoder sub-packet format identifier is modulated using a modulation scheme based on the first data transmission rate.
13. (original) The method of claim 11 comprising the additional step of:  
prior to the step of transmitting the encoder sub-packet, transmitting a first rate indication message to a receiver to which the first encoder sub-packet is intended indicating the first data transmission rate.
14. (previously amended) The method of claim 1 comprising the additional step of:  
prior to the step of puncturing and/or repeating the channel coded encoder packet, receiving the first rate indication message from a receiver to which the encoder packet is intended indicating a data rate based on first channel conditions measured at the receiver.
15. (canceled)

16. (previously amended) The method of claim 14 comprising the additional step of:  
transmitting a new rate message to the intended receiver indicating the first data transmission rate.
17. (original) The method of claim 1 comprising the additional steps of:  
receiving a NACK message indicating that a transmission of the encoder sub-packet was not successfully received at a receiver to which the first encoder sub-packet was intended; and  
puncturing and/or repeating the channel coded encoder packet to produce a second encoder sub-packet having a second size based on a size of the encoder packet and a second data transmission rate at which the second encoder sub-packet is to be transmitted.
18. (previously amended) A method of receiving a data transmission comprising the steps of:  
receiving at a receiver a message indicating a first data transmission rate;  
receiving a first encoder sub-packet with a first encoder packet size identifier indicating a size of the first encoder sub-packet; and  
decoding the first encoder sub-packet using the first encoder packet size identifier and the first data transmission rate, wherein the first data transmission rate is different from and based on a data rate for transmitting the first encoder sub-packet indicated in a first rate indication message from a receiver.
19. (original) The method of claim 18 comprising the additional step of:  
transmitting a negative acknowledgement message and a rate indication message if the first encoder sub-packet can not be successfully decoded, wherein the rate indication message indicates current channel conditions at the receiver.
20. (original) The method of claim 19, comprising the additional steps of:  
receiving a message indicating a second data transmission rate;  
receiving a second encoder sub-packet with a second encoder packet size identifier indicating a size of the second encoder sub-packet; and  
decoding the second encoder sub-packet using the second data transmission rate, the second encoder packet size identifier and the first encoder sub-packet.

21. (previously amended) A method of receiving a data transmission comprising the steps of:
  - receiving at a receiver a message indicating a first data transmission rate;
  - receiving a first encoder sub-packet with a first encoder sub-packet format identifier indicating a format of the first encoder sub-packet; and
  - decoding the first encoder sub-packet using the first encoder sub-packet format identifier and the first data transmission rate, wherein the first data transmission rate is different from and based on a data rate for transmitting the first encoder sub-packet indicated in a first rate indication message from a receiver.
22. (original) The method of claim 21 comprising the additional step of:
  - transmitting a negative acknowledgement message and a rate indication message if the first encoder sub-packet can not be successfully decoded, wherein the rate indication message indicates current channel conditions at the receiver.
23. (original) The method of claim 22, comprising the additional steps of:
  - receiving a message indicating a second data transmission rate;
  - receiving a second encoder sub-packet with a second encoder sub-packet format identifier encoder sub-packet indicating a format of the second encoder sub-packet; and
  - decoding the second encoder sub-packet using the second data transmission rate, the second encoder sub-packet format identifier and the first encoder sub-packet.